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MARINE CORPS APPROPRIATIONS;
A STUDY OF THE CONGRESSIONAL PROCESS

EDWARD ARTHUR WILCOX

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MARINE CORPS APPROPRIATIONS:
A STUDY OF THE CONGRESSIONAL PROCESS

by

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CHAPTER I

INTRODUCTION

The first session of the 87th Congress convened at noon on January 3, 1961, in an atmosphere dominated by the forthcoming inauguration of Senator John Fitzgerald Kennedy as the 35th President of the United States. Three days later, for the first time in a century, it became the duty of the defeated Presidential candidate, Vice President Richard M. Nixon, presiding over a joint session of Congress officially to declare Mr. Kennedy as the election winner. The last time that odd circumstance had occurred had been in 1861, when Vice President John Breckenridge had had to declare the election of Abraham Lincoln.

The ensuing session of Congress turned out to be the longest session in a decade and, among other things, was notable for the fact that an all-time record was established in the number of bills and resolutions which were introduced. There were 14,026 to be exact. Of these, 401 eventually became public laws and 284 became private laws.¹

At the moment, however, we are only concerned with one of these public laws, "an act making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes."² In seventeen and one-half pages of printed text, this law appropriated some \$46.7 billion for national defense -- the largest defense appropriation in any single year since the Korean war.

¹Henrietta and Nelson Poynter (eds.), Congressional Quarterly Almanac, Vol. XVII: 87th Congress, 1st Session, 1961 (Washington, D.C.: Congressional Quarterly Inc., 1961), p. 24.

²Public Law 87-144, approved August 17, 1961.

But we are concerned really only with a part of that law rather than with the entire law, and then only in a generic way rather than in a specific sense. To get to the point, this paper deals with those portions of recent annual defense appropriation acts which provide funds for Marine Corps personnel, operation and maintenance, and procurement. In the law just cited, the pertinent paragraphs constitute about five percent of the text and appropriate \$1.1 billion, or less than two and one-half percent of the total funds provided to the Department of Defense. Inasmuch as the language is more or less typical of that used in other years and since our attention is to be further focused on the legislative hearings and procedures which result in the specific language, it may be well to put down at this point extracts of the cited law to illustrate what a simple matter it is for the Congress to provide for the spending of over one billion dollars by the Marine Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1962, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

.....

Military Personnel, Marine Corps

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except those undergoing reserve training), and expenses of apprehension and delivery of deserters, prisoners, and members absent without leave, including payment of rewards of not to exceed \$25 in any one case, \$629,000,000, and, in addition \$11,000,000, to be derived by transfer from the Marine Corps stock fund.

.....

Reserve Personnel, Marine Corps

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve and the Marine Corps platoon leaders class on active duty while undergoing reserve training, or while performing drills or equivalent duty, as authorized by law, \$26,400,000.

.....

TITLE II

OPERATION AND MAINTENANCE

Operation and Maintenance, Marine Corps

For expenses, necessary for the operation and maintenance of the Marine Corps including equipment and facilities; procurement of military personnel; training and education of regular and reserve personnel, including tuition and other costs incurred at civilian schools; welfare and recreation; utility services for buildings erected at private cost as authorized by law, and buildings on military reservations authorized by Navy regulations to be used for welfare and recreational purposes; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement and manufacture of military supplies, equipment and clothing; hire of passenger motor vehicles; transportation of things; medals, awards, emblems and other insignia; losses in exchange and in accounts of disbursing officers, as authorized by law; operation of station hospitals, dispensaries and dental clinics; and departmental salaries; \$187,300,000.

.....

TITLE III

PROCUREMENT

Procurement, Marine Corps

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, military equipment, and vehicles for the Marine Corps, including purchase of not to exceed three hundred and seventeen passenger motor vehicles which shall be for replacement only, \$264,600,000, to remain available until expended.³

³Ibid.

Now the thoughtful reader who is knowledgeable in the ways of defense appropriations will immediately recognize that the above paragraphs do not by any means exhaust the ways in which the Marine Corps benefits from annual appropriations. For instance, in separate bills during 1961, Congress appropriated almost another billion dollars to the Department of Defense for military construction⁴ and \$45 million as supplemental funds, notably for Navy shipbuilding.⁵ Furthermore, he will know that Marine Corps aviation, for instance, benefits directly from the funds appropriated for procurement and for operation and maintenance of the Navy, and that the Marine Corps' research, development, test and evaluation effort is financed through the other services.

Why, then, should this paper concern itself only with those portions of the appropriations cited?⁶ The answer is that by so doing we are provided with a means for examination of the congressional appropriation procedure as it applies to the Marine Corps. Only in connection with these particular appropriations is it possible to examine in isolation the interplay of cause and effect among and between the congressmen on the Appropriations Committees of the Senate and the House of Representatives and the marines who annually appear before them to justify and explain the Marine Corps' request for funds. While Marine Corps witnesses appear in support of procurement of aircraft and missiles for the Navy, for instance, it is not possible to separate out the results, if any, of their effectiveness or lack of effectiveness during the

⁴Public Law 87-302, approved September 26, 1961.

⁵Public Law 87-332, approved September 30, 1961.

⁶Supra, pp. 2-3.

hearings. Presumably, such effects would be easier to detect in the appropriations made directly to and solely for the Marine Corps.

Specifically, this paper has for its purposes the examination of the following interrelated areas:

1. Procedural matters in Congress which relate to Marine Corps appropriations.
2. The conduct of appropriation hearings and the effectiveness of witnesses.
3. Recent trends in certain appropriations for the Marine Corps.

Excluded from this study are considerations of the appropriations or budgeting procedures through the Department of Defense or Bureau of the Budget, or of subsequent apportionment procedures or policy determinations as to the use of funds which have been appropriated, except insofar as these matters may impinge on congressional appropriation actions. Likewise, not considered here are the closely related functions and actions of the Armed Services Committees of the Senate and House. Not that such matters have no effect on the ultimate strength and capability of the Marine Corps. Quite the contrary! It is rather that this paper is attempting to concentrate on the Marine Corps congressional appropriation aspect of the larger problem of national security.

In addition to the personal desire of the author to become better acquainted with congressional action vis-a-vis Marine Corps appropriations, it was hoped also that two commonly held assumptions in this area might be tested and validated.

One of these assumptions is that "the degree of success in obtaining funds from Congress is dependent on . . . the ability of the witness to justify not only the funds requested but also the program if the need

arises."⁷ Is there, in fact, a direct and measurable relationship between how well a witness performs and the dollars the Marine Corps gets? If not, it must be concluded that some other considerations are of greater significance -- for instance, the written justifications for the funds.

The other assumption to be tested and validated is that:

In terms of the aggregate figures, the Congress makes small rather than large changes in the President's figures. A bona fide cut in the President's appropriation requests of as much as 5 percent, even by a hostile Congress, is the exception rather than the rule. The normal pattern of Congressional action is for the House to make a substantial cut in the budget total, for the Senate to restore a large part of the cut, and for the conference to reach a compromise that is not far from the President's request.⁸

These assumptions, however, are to be examined only from the point of view of Marine Corps appropriations. Their applicability to the other services or to the Department of Defense as a whole is not a primary purpose of this study.

⁷U.S., The Office of the Secretary of the Navy, Information for Navy Witnesses Appearing Before Congressional Committees, rev. January 1960, p. 7. Cited hereafter as Navy Witnesses.

⁸Arthur Smithies, The Budgetary Process in the United States (1st ed., New York: McGraw-Hill Book Company, Inc., 1955), p. 140.

CHAPTER II

LEGISLATIVE AUTHORIZATION PROCEDURES

Since we will be focusing our attention in this paper on but a single phase of the budget cycle, it may be useful at the beginning to fix this phase -- legislative authorization -- in relation to the rest of the cycle, and then to describe it in some detail. Burkhead has developed a format shown below in Table 1 which illustrates in sufficient detail for our purposes the phases of the budget cycle.⁹ Our interest resides in the second of the four phases, insofar as appropriations for the Marine Corps result.

TABLE 1
PHASES OF BUDGETING IN THE U.S. GOVERNMENT

Phase	Responsibility	
	Branch	Agency
Preparation and submission	Executive	Departments and agencies Bureau of the Budget President
Authorization	Congress	House and Senate and their appropriations committees President's veto or signature
Execution	Executive	Bureau of the Budget Treasury Department Departments and agencies
Audit	Executive Congress	Departments and agencies General Accounting Office

⁹Jesse Burkhead, Government Budgeting (New York: John Wiley Sons, Inc., 1959), p. 88.

Although the power of the purse was conferred upon Congress by the Constitution,¹⁰ the budget cycle begins with the preparation and submission of the budget document by the executive branch. Responsibility for initiating these expenditure programs was delegated to that branch by the Budget and Accounting Act of 1921.¹¹ When planning action has been completed, the President formally transmits the budget document to the Congress during January of each year. The document then represents the President's financial plan for the fiscal year beginning the next July 1. His action completes the first phase.

In the second phase, the responsibility rests with Congress to formulate the various annual appropriation acts. The one in which we are interested goes by the short title of "Department of Defense Appropriation Act, 19__." It is one of a dozen or so that will be passed during the year to finance the various functions of government.

Unlike revenue measures, which must be initiated by the House of Representatives, appropriation measures so far as the Constitution is concerned may be initiated by either chamber. But traditionally the House retains original jurisdiction over all appropriations.¹² Therefore, when the President's requests are received in Congress, the estimates are parcelled out to fourteen subcommittees of the fifty-member House Appropriations Committee. In the case of the Department of Defense request in which we are interested, it goes to the Defense Subcommittee, composed of fifteen members -- nine from the

¹⁰U.S., Constitution, Art. 1, secs. 8 and 9.

¹¹Public Law 67-13, approved June 10, 1921.

¹²Burkhead, op. cit., p. 97.

majority and six from the minority party. Thereafter, hearings are held by the subcommittee in order that it can make recommendations on the action which Congress should take.

Actually, in order that the appropriations subcommittees (both Senate and House) may prepare themselves for the hearings, budget justification books prepared by the services, reviewed by the Department of Defense and the Bureau of the Budget, and containing detailed supplementary information not contained in the budget document, are delivered in advance to Congress. Normally the subcommittee staffs will have two to three weeks to study the justification books before detailed hearings begin.¹³

Thereafter, beginning in late January or, more often, in early February, the hearings get underway. For convenience in treating with them, we might group the hearings in which we are interested, that is, those relating to military personnel, operation and maintenance, and procurement for the Marine Corps, into three separate and distinct categories:

1. Policy hearings before the Defense Subcommittee of the House Appropriations Committee
2. Detailed hearings before the Defense Subcommittee of the House Appropriations Committee, and
3. Hearings before the Defense Subcommittee of the Senate Appropriations Committee.¹⁴

The policy hearings (normally closed to the public) are attended by some fanfare, resulting largely from the rank and prestige of the witnesses who come forward in support of the President's budget. A normal sequence of

¹³Navy Witnesses, op. cit., p. 31.

¹⁴Ibid.

appearance at the policy hearings would be:

1. Department of Defense -- The Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

2. Department of the Army -- The Secretary of the Army and the Chief of Staff of the Army.

3. Department of the Navy -- The Secretary of the Navy, the Chief of Naval Operations, and the Commandant of the Marine Corps.

4. Department of the Air Force -- The Secretary of the Air Force and the Chief of Staff of the Air Force.

Following the policy hearings come the more mundane and detailed hearings during which the subcommittee carefully reviews the budget estimates of each service. Each appropriation and budget activity thereunder is examined, at times in considerable detail. The comptroller of the military department normally is the first witness. He presents financial statements and discusses management and fiscal procedures to be followed in achieving the objectives established in the budget estimates. Following this, the subcommittee usually takes up each appropriation in the order of appropriation titles as they appear in the budget document, that is, "Personnel," "Operation and Maintenance," "Procurement" and "Research, Development, Test and Evaluation," for each of the services.

Typically, the appropriate civilian assistant secretary of the Department of the Navy opens the Navy phase of the detailed hearings with a prepared statement, commenting on the achievements, significant developments and plans for the coming year in his respective area. Thereafter, hearings on each major Navy and Marine Corps appropriation are initiated by successive statements made by the principal witnesses for, in our case, the Commandant

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of the Marine Corps, on requirements, plans and programs as well as their execution and financing.

Principal witnesses in support of funds for active duty Marine Corps personnel are the Assistant Chief of Staff, G-1 and the Fiscal Officer. In the case of reserve personnel, they are the Director, Division of Reserve and the Fiscal Officer. The Assistant Chief of Staff, G-4 and the Fiscal Officer are the principal witnesses for both the operation and maintenance and the procurement appropriations. Supporting witnesses may, and usually do, accompany the principal witnesses in order to provide the necessary detailed, technical backup.

With regard to the third category of hearings, the Senate subcommittee may start hearings at any time after the President delivers his budget message. In theory, it would wait until the House Appropriations Committee had passed the bill. The Senate would then review the House action and presumably act out its prescribed role as a "court of appeal."¹⁵ In practice, however, the Senate usually begins its hearings before the House has completed its action. In recent years, this has become increasingly common. Nevertheless, final action by the Senate will almost always occur after final action by the House.

The Senate Committee on Appropriations is made up of twenty-seven members, seventeen from the majority and ten from the minority party. The Department of Defense Subcommittee consists of sixteen, ten from the majority and six from the minority party. In addition, the subcommittee is supplemented by three members from the Armed Services Committee.

¹⁵Supra, p. 6.

Senate Defense Subcommittee hearings are procedurally similar to those of the House Subcommittee, but are apt to be shorter and are usually open hearings in contrast to those in the House. Further, the subcommittee action is very likely to be directed at the differences between appropriations as requested by the President and the action which the House took (or is contemplating, if the House hearings are not completed).

We will discuss various aspects of House and Senate hearings from time to time throughout this study, but in order to understand the whole procedure on Defense appropriation bills, let us first trace the events following the completion of the House hearings, to which point we now return.

Upon completion of the House hearings, the Defense Subcommittee of the House Appropriations Committee proposes the Department of Defense Appropriation Bill. The proposed bill is then referred to the full Appropriations Committee and upon the Committee's approval, it is reported out to the floor of the House. After debate on the floor of the House the bill is passed and sent to the Senate. In like manner, the Defense Subcommittee of the Senate Appropriations Committee recommends a Department of Defense Appropriation Bill to the full committee; after approval it is reported out to the floor of the Senate for debate and passage.

It should be noted at this point that in both Senate and House, the subcommittees, not the Appropriations Committee itself, wield the influence. The subcommittee marks up the bill, and with the help of its staff prepares a report. The Appropriations Committee, in turn, will rarely modify the action of its subcommittee.¹⁶

The Chairman of the subcommittee acts as floor manager for his bill when it comes up for debate. In the House, general debate is limited and it

¹⁶Burkhead, op. cit., p. 99.

is unusual for the committee action to be modified substantially. In the Senate, floor discussion is likely to be more extensive because of the privilege of free debate. Modifications are more frequent on the Senate floor than in the House.¹⁷

In order to reconcile the differences contained in the separate bills which have been passed, each body appoints certain of its members (drawing on subcommittee membership) to work with the other in Joint Conference to adjust the differences. Assuming that the report of this group is accepted by both House and Senate -- and it usually is -- the bill as finally approved is enrolled, signed by the Speaker of the House and the President of the Senate and transmitted to the President for approval or veto. Appropriations measures, however, are rarely vetoed. When approved or otherwise effective, the bill becomes an Act of Congress and is assigned a Public Law number by which it may thereafter be designated. Thus, phase two of the budget cycle is completed.

Although it is not the purpose of this paper to critique the procedures followed by Congress in moving appropriation measures through the system, it seems useful to note at this point that the procedures just outlined leave much to be desired in both theory and practice. Before considering the problems which confront military witnesses who appear at hearings in support of appropriations, some consideration of the problems inherent in the entire congressional appropriation system itself appear to be in order. An appreciation of the larger problems involved will account, in some measure at least, for the apparent frustrations, fixations on detail and irrelevant interest or complete disinterest shown by congressmen at times during the hearings.

¹⁷Ibid.

It is not the case that the government is the only one who can do this.

There are many other ways in which the government can be held accountable.

For example, the government can be held accountable by the people.

It is the duty of the people to hold the government accountable.

The people can do this in many ways, such as by electing representatives.

They can also do this by holding the government accountable for its actions.

The government is not the only one who can do this. The people can do this too.

It is the duty of the people to hold the government accountable.

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They can also do this by holding the government accountable for its actions.

The rather lengthy quotation which follows resulted from independent research conducted by Professor Arthur Smithies, Chairman, Department of Economics, Harvard University. Dr. Smithies, who was working under a grant from the Committee for Economic Development, and who completed, in 1955, his study of the processes by which expenditure decisions are reached, made these observations about congressional actions involved.

The President's Budget Message is read to the Congress early in each session, but it is not debated or referred to in committee proceedings. Neither is there formal congressional debate on the budget as a whole. Nor is there any real consideration of it by the full appropriations committees or by either House....

The work on the budget continues to be done by the powerful appropriations subcommittees which deal with particular departments or groups of departments and prepare separate appropriation bills covering their several assignments. And the only way that the congressman or the private citizen can attempt to understand what the budget proposes is to read the House subcommittee hearings.... To comprehend any program it is, of course, necessary to read the hearings for more than one year. Each subcommittee member has the right to question each department witness, and the questioning frequently fluctuates violently from basic policy issues to the most trivial detail. After the opening statements by the department heads, which in some instances are highly illuminating, the hearings frequently become chaotic. Practically everything one wants to know can be found somewhere, but to uncover it is a major research project that requires much more time than is available to even the most conscientious congressman....

The only members of the House who really have a chance to understand a particular program are the half-dozen subcommittee members who sit through the hearings, and their comprehension varies with the nature of the programs they consider.... It is difficult for anyone, including subcommittee members to acquire a professional view of the defense program. These remarks are not intended to reflect on the ability and diligence of the members or the departmental witnesses. They are intended to reflect on a system that requires the expenditure of vast amounts of effort for minimum returns in terms of public information. Despite the great improvements that have been made in the presentation and the consideration of the budget during the past decade, present Congressional procedures are a most serious barrier to real public comprehension of the budget.

.....

Bills are considered in the full House Appropriations Committee for only about an hour or so and they are usually sent unchanged to the floor of the House. Since the several appropriations bills are considered separately, floor debate is normally restricted to particular appropriation questions on which most members are uninformed. Only occasionally does

an individual member take the opportunity to reflect on the state of the budget as a whole. Such observations usually occur in the Senate rather than the House.... Even then the bills serve as a sounding board for an individual and rarely produce Congressional debate and far less Congressional decision on general budgetary policy. The whole process leads to frustration and cynicism on the part of members of Congress who are not directly involved in the appropriations process; even those who are involved feel that the massive hearings do not provide them with an adequate basis for judgment.

The proposals of the House Committee are then reviewed by the Senate appropriations subcommittees, which act primarily as courts of appeal for the departments against the House action. Consequently the main substantive consideration of the President's budget takes place in the House. The House is normally unwilling to appropriate in excess of the Budget Bureau estimates. The Senate is less unwilling in this respect and sometimes actively resents what it regards as the Budget Bureau's intrusion on the legislative process. In both Houses there is considerable uneasiness about Budget Bureau action. Witnesses are frequently asked to give their original requests to the Budget Bureau and have been considered unresponsive when they refuse. In the defense hearings in recent years the original departmental estimates have usually been discussed. And in 1949 the Congress appropriated for a seventy-group Air Force despite the active opposition of the President. The Congress has by no means acquiesced in the view that the President should be the only spokesman for the Executive Branch or that department heads should abide loyally by his decisions.¹⁸

¹⁸Smithies, op. cit., pp. 133-36.

CHAPTER III

THE CARE AND FEEDING OF WITNESSES

Having looked at the procedures by which an appropriation bill is moved through the Congress, let us now examine in somewhat more detail the conduct of hearings by the appropriations subcommittees. Our purpose in doing so will be to gain some insights into the impact which this phase has on the final outcome of the bill. Thus, we will have some basis on which to arrive at conclusions as to the first assumption being tested -- that the amount of funds appropriated by Congress relates directly to the ability of witnesses.¹⁹ The approach in this chapter will be to examine, first, the advice and instructions which are applicable to witnesses; next, the subcommittee membership; and, finally, the conduct of recent hearings.

There is certainly no lack of guidance for an officer who is faced with the necessity of preparing himself to appear at a congressional hearing. As a matter of convenience in considering this guidance we may divide the material into two types: that which is non-directive in nature and that which is directive. Both types are very useful.

Considering first the former type, it may be said that some of the very best guidance is to be found here. One source, for instance, is the service magazine or journal. From time to time, articles will appear which provide valuable advice ranging from the "how-to-do-it" type to the background information type.²⁰ A particularly pertinent article appeared a few years

¹⁹Supra, p. 6.

²⁰Examples of these might be, respectively: (1) W. A. McGuiness, "Advice to Witnesses Testifying Before Congressional Committees," The JAG Journal (Office of the Judge Advocate General of the Navy, Washington, D.C.), February, 1954, p. 9; and (2) John R. Blandford, "It's Your Congress," United States Naval Institute Proceedings, February, 1956, p. 185.

ago written by an author unusually well qualified to advise in this area.²¹ He is Lieutenant Colonel John R. Blandford, U.S. Marine Corps Reserve, a lawyer who saw active duty with the 1st Marine Division in the Pacific during World War II. After release from active duty and since January, 1947, he has been counsel for the Committee on Armed Services, House of Representatives.

Having seen any number of military witnesses, he observes:

There are a few guiding principles which should be the commandments for every Service witness. First, the witness should learn the simple phrase "I am sorry I do not know the answer to that question." If he believes it is possible to obtain the information, he should so advise the Committee and then obtain the information....Members of Congress ask questions for their own guidance and in order to form an opinion as to the necessity for legislation. The questions that they ask, no matter how unrelated they may appear to be to the subject matter, are asked for a reason and they should be answered. Oftentimes seemingly unrelated questions may be asked as a foundation for future questioning, or they may reflect particular problems that have been brought to the attention of a member by a constituent. Such questions should not be disregarded.

Secondly, the Service witness should assiduously avoid the incomplete answer, or more bluntly stated, the half truth. The other half will eventually come to light and it may prove embarrassing to the witness who has given only a partial reply.

Third, the witness must remember that he is in a forum where his decorum and demeanor will be under constant observation. Courtesy, respect, and an even temperament are cardinal requirements. And here should appear the motto for every Service witness: "Never underestimate a Congressman." There is, though infrequently, a tendency on the part of a few witnesses to brush off or treat lightly the questions asked by committee counsel or freshman congressmen. The committee counsel are selected by the committee and are acting for the committee. They are entitled to the same respect accorded to the committee as a whole. And Congressmen don't often get elected to office without having a pretty keen insight into human nature. A pretty good rule to follow for anyone appearing before a Congressional committee is that its members, singly and collectively, are brighter than the witness. A witness who appears before a Congressional committee should be prepared to answer all types of questions which may be asked or else state that he does not know the answer. Answers such as "I don't think that has anything to do with the bill under consideration," or "I've already answered that question" may be all right at a staff conference in the Pentagon,

²¹John R. Blandford, "Testifying Before Congressional Committees," United States Naval Institute Proceedings, March, 1955, p. 295.

but they are not appropriate replies to questions posed by committee members or committee counsel. The effectiveness of a witness who so answers a question is reduced in geometric proportion to his failure to respond properly.

And finally, a Service witness should be completely honest. The old cliché that it is easier to tell the truth because you don't have to remember what you said is never more appropriate than in the field of Congressional inquiry.

In fact, the most important requirements for an effective witness before a Congressional committee are honesty and information. It will be noted that honesty is emphasized ahead of information. There is reason for this. While it may sound anomalous, it is none the less so, that a witness who by his demeanor makes it fully evident that what he is telling the committee is true has persuasiveness that no amount of information from a witness, who is otherwise, can overcome. Congressmen are people. They are affected and make judgements on the same basis as any reasonable and intelligent person does. It is for this reason that an honest answer, which may, when necessary, include "I don't know" can go further toward insuring favorable consideration of a measure than any amount of information where the complexion of forthrightness is lacking. By the foregoing it is not intended in any way to minimize the importance of a witness being well informed. That the witness is well informed, however, should be a matter of gratuitous assumption. That a witness is wholly honest is unhappily not always the subject of such an assumption. And here again the partial answer can be properly interpreted as a half-truth.²²

Another source of general information in the non-directive category is the legislative liaison office. The Department of Defense and each of the three military departments has its own legislative liaison office. The Office of Legislative Affairs of the Department of the Navy is organized within the Executive Office of the Secretary of the Navy, headed by a rear admiral, and located in the Pentagon. In addition, the Commandant of the Marine Corps maintains in his immediate staff offices a "Legislative Assistant", who at present is a brigadier general. It is, in brief, the function of these offices to maintain files of useful and pertinent information in the area of congressional relations and to coordinate appearances before Congress. For specific

²²Ibid., p. 297-98.

information concerning appropriation matters, however, one turns within the Department of the Navy to the Assistant Comptroller, Office of Budgets and Reports or at the Headquarters, Marine Corps to the Fiscal Director. These latter offices maintain all the backup information and directives, of course, but are mentioned at this point because many, if not most, of the officers who are assigned to these offices also have attended hearings as either principal or supporting witnesses. Furthermore, these officers have attended numerous planning and rehearsal type conferences on the budget, starting at the service level and progressing through the Department of Defense, Bureau of the Budget and, finally, the congressional committee staffs themselves. From them, considerable vicarious experience is available.

The difficulty in learning from this type of experience, however, is that the experience related is subjective in nature. Therefore, the aspiring witness is apt to learn more about how the individual viewed his experience and less about what actually took place than he would have liked. There is, however, a simple remedy to this problem, which is by way of introduction to the third and, in my view, the best source of non-directive information -- the hearings themselves.

It would be ideal if an officer could attend hearings just to observe in advance of his having to appear as a witness. Unfortunately, there are obstacles to such a procedure aside from the fact that an officer may not have been stationed in Washington in advance of the time he must appear. Even if stationed there, his duties may prevent him from so observing (though, having done some observing myself, I would think this not a very good excuse for passing up a marvelous opportunity). The real difficulty is that in the case of the House, the appropriation hearings are held in executive session and

therefore they are not open to the public.²³ While Senate hearings are normally open hearings, it has already been established that they are not so thorough as House hearings.²⁴ They, therefore, are not as instructive, but certainly not to be by-passed on that score.

But, even accepting these obstacles, the printed hearings are available or can be obtained through most large libraries. And here is a gold mine of objective information as to what it's like to be a witness. It is not unusual for bound editions of a single year's hearings to occupy more than a foot of library shelf space. The 1961 Senate hearings, for instance, were in two parts consisting of almost 1900 pages, while the House hearings were in seven parts of almost 4200 pages. Not that one must read it all! Each part is indexed and contains a list of witnesses by name, citing the appropriate page numbers. One may, therefore, be selective as to the areas to be studied.

It probably ought to be noted that the printed hearings do not necessarily represent verbatim transcripts. Although recorded by stenographers, the hearings are subsequently reviewed, edited and, in some cases, revised before printing, in the same manner as is the Congressional Record. Nonetheless, the "flavor" of the hearings remains for those who may be interested in savoring it.

So much for the non-directive sources of advice and instruction for witnesses. Let us turn our attention now to the directives.

As one would expect, the directives are more specific and technical than the non-directive sources we have been discussing. They are apt to quote passages of the United States Code, or Bureau of the Budget Circulars, or Navy Regulations, or perhaps all three. In order to limit somewhat this rather

²³Navy Witnesses, op. cit., p. 16.

²⁴Supra, p. 15.

broad area I shall confine my remarks to the single directive published within the Headquarters, Marine Corps, early this year by the Fiscal Director for the guidance of those having to testify on appropriations.²⁵ It was a half-page directive which referred the reader to other appropriation publications, namely, one from the Secretary of Defense, one from the Secretary of the Navy, one from the Comptroller of the Navy, and, perhaps most useful of all, a pamphlet prepared by the Office of the Secretary of the Navy entitled Information for Navy Witnesses Appearing Before Congressional Committees.

Secretary of Defense McNamara's memorandum of two pages, issued shortly after he took office, merely reaffirmed existing policy and procedures insofar as testimony on the President's budget is concerned and directed compliance with appropriate Bureau of the Budget guidance, parts of which were quoted as follows:

It is understandable that officials and employees will feel strongly about the importance of their own agency's work, and will sometimes believe that a larger budget might be in order. Such feelings, however, must be related to an awareness that our budget resources are not adequate to accommodate in any one year all of the things that might be desired. The President is responsible for reviewing the total needs of the executive branch in the light of tax and debt policy and for deciding among competing requests for priorities. Executive branch personnel are expected to support the President in his budget recommendations.

As you and your staff prepare to justify your portion of the budget before Congress, you will want to observe the requirements set forth at the President's direction in Bureau of the Budget Circular No. A-10. It is expected that witnesses will carefully avoid volunteering views differing from the budget, either on the record or off the record. While direct questions at hearings must be answered frankly, it is expected that a witness who feels that he must set forth a personal view inconsistent with the President's budget will also point out that the President's judgement on the matter was reached from his overall perspective as the head of the Government, and in the light of overriding national policy. The witness should make it clear that his personal comments are not to

²⁵Memorandum from Fiscal Director of the Marine Corps to Distribution List, Headquarters, U.S. Marine Corps, AS/crk dated 12 January, 1962; Subject: Testimony Before Congressional Appropriation Committees.

be construed as a request for additional funds.²⁶

Secretary of the Navy Connally's memorandum, equally brief and in the same vein, enjoined all of the addressees to "thoroughly familiarize" themselves with current policy so that testimony would be "consistently in conformance" with it, stating in part:

The budget, as presented to the Congress represents the optimum balance between the need for funds and the availability of funds. The allocation of the available funds is of the nature of a compromise since every requirement cannot be satisfied and still assure National economic solvency. This compromise is a reasoned one, tempered with the most judicious consideration of all factors introduced during the lengthy budget review process. Individuals cannot voluntarily depart in their testimony from support of this budget and its underlying concepts without distorting the proper perspective in which the budget, as a whole has been conceived and must be reviewed. Championing of special causes by individuals invariably results in warping the budget structure since the budget results from a chain of related decisions which should not be viewed out of context with each other.²⁷

The Comptroller of the Navy goes into considerably more detail in his memorandum in providing instructions and information for witnesses.²⁸ But for our purposes, we can restrict our attention to the "General Reminders for Witnesses" before the committees, excerpts of which follow:

1. The Committee works from the President's Budget Message and the justification books. Be well acquainted with both.
2. Criticism or implied criticism of actions of OSD and the Bureau of the Budget is to be avoided. Matters on which you may have strong opinions, in particular, must be treated factually, with well-considered words, to avoid misinterpretation by the Committee. Evasiveness, however, should not be construed as discretion.

²⁶Memorandum from the Secretary of Defense for the Secretary of the Army, the Secretary of the Navy et al., dated March 22, 1961; Subject: Testimony on the President's Program.

²⁷Memorandum from the Secretary of the Navy for the Distribution List, dated 7 April, 1961; Subject: Testimony Before Congressional Committees.

²⁸Memorandum from the Comptroller of the Navy to the Distribution List, NAVCOMPT INSTRUCTION 7120.21, dated 18 January, 1961; Subject: Department of the Navy FY 1962 budget hearings before the Congressional Appropriations Committees, information for witnesses.

3. ... Thorough familiarity with the [accepted, official Navy Budget figures] and their derivations is essential. Figures which cannot be reconciled... should not be quoted. Similarly, you should be familiar with the Navy financial plan as it applies to your appropriations for the current fiscal year.

4. Review the record of last year's hearings on your appropriation so that, if asked, you can explain deviations from plans outlined at that time and be able to give the current status of items of continuing interest. Also review the Committee Report on last year's hearings and be ready to speak on any comments which might have been directed at your bureau or office....

5. It is the responsibility of the activities concerned to provide appropriate witnesses to insure satisfactory justification of programs and estimates, but every effort must be made to hold the number of supporting witnesses to a minimum.... Well-briefed principal witnesses, assisted by well-documented backup books, should serve to reduce the number of supporting witnesses actually required. The Committee prefers to receive the answers to its questions in the hearing room, if possible. However, if you do not have the data on hand, it is proper to offer to supply the material for the record.

6. Occasionally, a question answered earlier in the proceedings may be repeated by another member, or a question may be asked which appears to be well answered in the justification book. In any case, answer the question as it is asked; do not look for hidden meanings. Not all the members are present at all times in the hearing room, nor should it be assumed that all the members have had the opportunity to examine the justification books in detail.

7. The courtesy, accuracy and integrity of the witness represent to the Committee the integrity of the Navy and of the budget estimate under consideration. Principal witnesses, in particular, must be well acquainted with the budget estimates which they are justifying, and with the plans and programs supported by the budget.²⁹

It may be seen from all of the foregoing information, then, that a fairly definitive "code of conduct" exists which is designed to govern and guide witnesses before congressional committees. Bringing all of this guidance together into a single publication was accomplished several years ago when the office of the Secretary of the Navy distributed the pamphlet Information for Navy Witnesses Appearing Before Congressional Committees, previously cited.³⁰

²⁹Ibid., enclosure (1).

³⁰Supra, p. 6.

All of the advice noted before and much additional useful information is included in this work.

Certainly, with all of the foregoing sources of information, advice, counsel and instruction in mind, the prospective witness can have a pretty fair idea of how he should behave and of what will be expected of him. Yet, if we are really to appreciate the significance of this hearing process, we must first learn more about those sitting across the table from the witness. So now let us turn our attention to the congressional subcommittee members.

It is difficult to know where to begin in an attempt to gain insight into politics and politicians. I personally am of the opinion that the field is so complex and so interwoven with subtleties, that almost any list of "sources" is bound from its inception to be totally inadequate. Like any other complex field, so much depends on prior knowledge. Therefore, if one is not well read in American history or does not read and observe current politics and government, it is almost hopeless to attempt to jump into the middle of the subject and expect to have it make much sense.

Nonetheless, for our part, we are not trying to comprehend the total system, though that would be helpful, not to say admirable. We can narrow down our attempt to just the appropriation subcommittees themselves since we already have an indication that it is there that the real power resides.³¹ And we already possess some generalized information from the various sources already quoted. But, where do we turn for specific information on the subcommittees and their staffs?

One standard source of information is the Congressional Directory, an

³¹Supra, p. 12.

THE UNIVERSITY OF CHICAGO PRESS

CHICAGO, ILLINOIS

1963

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THE UNIVERSITY OF CHICAGO PRESS

official publication revised annually for each new session of Congress.³²

The first 180 pages of this book are devoted to biographical sketches of the members of Congress "based on information furnished or authorized by the respective Senators and Representatives."³³

But these biographies are not always helpful. For instance, if we wished to find out something about the Chairman of the House Appropriations Committee from this source we would find only:

CLARENCE CANNON, Democrat, born April 11, 1879; married and has two daughters; elected to the 68th and succeeding Congresses; address: Elsberry, Mo., R.F.D. 1.³⁴

We would find even less about the senior Senator from Maine, who sits as a member of the Senate Defense Appropriations Subcommittee. The biographical entry states cryptically "MARGARET CHASE SMITH, Republican."³⁵ At least Senator Russell of the same subcommittee saw fit to add "of Winder, Ga." after his name and party affiliation.³⁶

These are, to be sure, exceptions. A more complete and typical entry may be found for the Chairman of the Senate Defense Appropriations Subcommittee:

DENNIS CHAVEZ, Democrat, of Albuquerque, N. Mex., born at Los Chavez, Valencia County, N. Mex., April 8, 1888; attended public schools of Albuquerque; graduate of law school, Georgetown University, 1920, with LL.B. degree; married Imelda Espinosa, November 9, 1911; has three children -- Dennis Chavez, Jr., Mrs. George Dixon, and Mrs. Jorge Tristani; served as clerk of the United States Senate, 1918 to 1920; member of New Mexico Legislature; practiced law at Albuquerque; elected

³²U.S., Congress, Congressional Directory: 87th Congress, 2d Session (Washington, D.C.: U.S. Government Printing Office, 1962) is the current edition.

³³Ibid., p. 3.

³⁴Ibid., p. 83.

³⁵Ibid., p. 62.

³⁶Ibid., p. 31.

to the 72d Congress; reelected to the 73d Congress; appointed to the United States Senate by Gov. Clyde Tingley on May 11, 1935; elected November 3, 1936; reelected November 5, 1940; reelected November 5, 1946; reelected November 4, 1952; reelected November 4, 1958.³⁷

Even so, this is not the kind of information we need about subcommittee members.

Here is an area where the legislative liaison people can be very helpful, for in addition to other files, they compile information on the legislative interests of, and the position taken by, individual congressmen on matters affecting the Department of Defense. Information compiled with such a purpose in mind can be infinitely more helpful than the biographies from the Congressional Directory. To illustrate, the following information on Senator Chavez is available from the Office of the Assistant Secretary of Defense, Legislative Affairs:

Legislative Interests:

Continuing interest in military retirement, retired pay considerations and post retirement conflict-of-interest question.

Suggested on floor the creation of numerous space and other research agencies is causing difficulty in determining who is making DOD policy on vital issues.

Considers elimination of military personnel shifts a desirable economy measure.

Supports large modern Navy including aircraft carriers.

Has stated that because of dispersal the National Guards may be our most important military force following nuclear attack.

Advocates closer control of DOD contracting procedures with added emphasis on competitive bidding. Believes small business not getting fair share of contracts.

Supports Air-Alert concept, B-70 and ANP programs; supports increased air-lift including long range jet transports.

Objected on floor (16 Jan 60) to executive "freezing of funds" appropriated for Defense Dept. by Congress.³⁸

Similar information is available on all of the other committee members.

³⁷Ibid., p. 98.

³⁸Memorandum entitled "SENATOR DENNIS CHAVEZ (Democrat - New Mexico)" dated February 12, 1962, from files maintained by Special Assistant to the Assistant Secretary of Defense (Legislative Affairs).

to the Government, and that it is not possible to do so without incurring the expense of a large number of men, and that the Government is not in a position to do so.

It is not possible to do so without incurring the expense of a large number of men, and that the Government is not in a position to do so.

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But, in my opinion, even better information is available from the records of the hearings and from the records of debate on the floor. It is again a problem of the subjective information which someone else has compiled versus one's own assessment of what is significant (which may or may not, but hopefully will, be objective). Thus from the Legislative Affairs summary on Representative Daniel J. Flood (Democrat - Pennsylvania) there is no indication that he is partisan toward the Marine Corps, yet one knows this immediately from reading the hearing or the Congressional Record. Likewise, from the Congressional Record we can glean the fact that both Senators Chavez and Saltonstall have sons who served in the Marine Corps.³⁹ While one should not become overly complacent about the net effects of piecing together bits of information, still it seems evident that the more that is known about the committee members and their staffs, the better the witness will be able to perform creditably.

Certainly one fact which should not be overlooked is that, by and large, the committee members will have had far more experience in dealing with annual appropriations than will have had the average witness. "Don't underestimate the ability and knowledge of the interrogator" advises the Navy pamphlet.⁴⁰ In view of the length of service of the congressmen on the subcommittees, this is excellent advice. Currently five of the six ranking members of the Senate are on the Defense Appropriations Subcommittee; while only one subcommittee member has fewer than ten years service in the Senate.⁴¹

³⁹U.S., Congressional Record, 86th Cong., 2d Sess., 1960, CVI, Part 10, p. 12842.

⁴⁰Navy Witnesses, op. cit., p. 20.

⁴¹Congressional Directory, op. cit., pp. 216-17. The senators referred to (with rank) are: Senators Hayden (1), Russell (2), Chavez (4), Ellender (5) and Hill (6); the junior subcommittee member, Senator Allott (R.-Colo.) has been a senator since 1955.

Much the same experience level exists among the House members of the Defense Appropriations Subcommittee. Mr. Mahon (Democrat - Texas), the ranking member and chairman, is now in his fourteenth consecutive term as a representative. The junior member has served for four consecutive terms in Congress. Average number of terms of service is more than eight.⁴²

One of the sacrifices to fiscal reform made in the Marine Corps as the result of the National Security Act Amendment of 1949, was the transfer of appropriation functions from the Quartermaster General to the newly established Fiscal Branch.⁴³ At that time, and for a decade prior, the Quartermaster General was Major General William P. T. Hill, U.S. Marine Corps. He had been appearing before Congress year after year to support the Marine Corps' requirements for appropriations. He knew Marine Corps requirements and the congressmen, and the congressmen knew, trusted and respected General Hill. It was a very satisfactory relationship nurtured over a period of years. Now, however, it would be exceptional for an officer to have more than a few years' experience because of rotation of duty assignments. Considering the experience most congressmen have, this places the witness at a comparative disadvantage.⁴⁴

Should a witness happen to overlook this disparity in appropriation experience, the congressmen have on occasion seen fit to remind the witness of

⁴²Ibid., pp. 219-26.

⁴³Major E. A. Wilcox et al. "Financial Management in the Marine Corps: An Evaluation" (group research project, Navy Graduate Financial Management Program, George Washington University, 1962), p. 12.

⁴⁴A notable exception to this generalization is the case of the present Commandant of the Marine Corps, General David M. Shoup, who had the advantage of being the Marine Corps' first Fiscal Director in 1953, and who therefore went before the subcommittees as Commandant in 1960, and subsequent years with considerably more background than most officers would be able to acquire.

the facts. Nor do the congressmen much admire the executive branch ignoring congressional advice in Defense appropriation matters. During floor debate on the 1961 appropriations, then Majority Leader Lyndon Johnson (Democrat - Texas) said:

I hope that the executive branch will recognize that the increases provided by the Congress in this appropriation bill represent a careful and conscientious effort to strengthen our most vital programs. I certainly hope that the executive branch will not let some budget clerks willfully disregard the expressed intent of the Congress.⁴⁵

Not only should the subcommittee members' ability and knowledge be recognized, so should the staffs'. Mr. Cannon, during debate on the floor of the House on the fiscal year 1963 defense appropriations, provides us with some insight into staff qualifications.

Of the 50 members of the staff accredited to the Committee on Appropriations, I have appointed all but 6.... None of them are from my congressional district, or from my own State. I have never exercised personal political preference in the appointment of any of them.

... the staff of the Committee on Appropriations is permanent. It is made up of careermen who serve for life. Special qualifications are required and we have our own system of civil service. For example, former service in some budgetary capacity in a Federal department is one of the requirements. In order to know how to tear down a budget the clerk must have had experience in building up a budget. There are other requirements, of course, that are essential. In selecting the last addition to the staff something like 200 men were screened -- without their knowledge, of course -- before we reached the men we took.

Incidentally, no one who applies for a position is ever appointed. We do not have room for a man who is looking for a job. We can use only men who are so efficient and so well located that they have no desire for a change; and any man who makes application to us for one of these jobs thereby automatically eliminates himself from consideration.

... the men we ... use must assist in the distribution ... of hundreds of millions of dollars in every department of governmental activity. They have highly responsible duties; they must be technical, scholarly, objectively minded men and, of course, men of immaculate integrity.⁴⁶

⁴⁵U.S., Congressional Record, 86th Cong., 2d Sess., 1960, CVI, Part 11, p. 15100.

⁴⁶U.S., Congressional Record, 87th Cong., 2d Sess., 1962, CVIII, No. 59, p. 6319-20. (Note: this reference is to the daily, unbound Record; pagination will change in the permanent bound edition.)

So far we have examined the appropriation process from the point of view of the witness and from that of the subcommittees. In the final part of this chapter, we shall see what we might learn from what happens when the one confronts the other. Again we shall use the records of hearings and floor debate to get some measure of the results.

From reading of numerous records of hearings, both Senate and House, scanning others, and attending a few, certain impressions come immediately to mind. First and foremost of these is that the subcommittees, in general, treat the witnesses with great kindness and consideration. And second, I have the distinct impression that the Marine Corps is treated in terms of cordiality with somewhat more deference than are the other services. This seems true in both houses. For instance, the Commandant's testimony before the Senate subcommittee a few years ago closed on this note:

Senator CHAVEZ. Gentlemen, of the different services, and they are all highly respected, I think we have fine services, fine Army, fine Navy, and fine Air Force, but the Marine Corps is the one that stands out with the American people. I know. I think they deserve that standing.

General SHOUP. Thank you, Mr. Chairman.

Senator DWORSHAK. I concur in the Chairman's remarks.⁴⁷

Earlier this year in opening the House hearings on Department of the Navy budget estimates, Mr. Mahon, Chairman of the Subcommittee, warmly welcomed Secretary of the Navy Korth and Chief of Naval Operations Admiral Anderson. But then in the next breath he made the previous welcome seem almost perfunctory by comparison when he said to Mr. Korth:

We will hear your statement, and then Admiral Anderson's statement which will be followed by a statement by General Shoup. The Marines always seem to get top priority in this committee and in Congress. You are always very welcome. You are people of few words, but your words

⁴⁷U.S., Congress, Senate, Subcommittee of the Committee on Appropriations, Hearings on H.R. 11998, Department of Defense Appropriations for 1961, 86th Cong., 2d Sess., 1960, p. 181. Cited hereafter as Hearings on H.R. 11998.

are always good and your actions are always better than your words, so we are glad to have you before us again.⁴⁸

A third general impression is that the hearings follow the same pattern service by service, year after year. First, there is the opening statement. Then the subcommittee members ask questions about points which are of interest to them. Generally the opening statement by the Commandant is not too long and attempts to do two things -- give an overview of what it is the Marine Corps will be able to do with the resources planned in the budget under consideration, and assure the subcommittee that the resources provided will be capably and efficiently managed with maximum economy and minimum waste. The words change, but the assurance is there year after year.

... in the hearings before this committee last year I described the measures taken to administer the affairs of the Marine Corps economically. I pointed out some of the steps which we had taken to cause a reduction in the expense of maintaining the Marine Corps. The program of economy has been continued with increasing intensity until the present time. As no great result can be attained without cooperation, we have endeavored in every way practicable to educate public opinion within the Marine Corps and to instill into the minds of officers and men the vital necessity of preventing waste and the great importance of putting our corps on an economical basis.⁴⁹

This testimony could have been given by almost any Commandant, but was in fact given forty years ago when Major General John A. LeJeune accompanied Assistant Secretary of the Navy Colonel Theodore Roosevelt up to the Hill to testify on the Marine Corps appropriation for fiscal year 1923. As an interesting sidelight, one of General Lejeune's backup witnesses at this hearing was Captain L. C. Shepherd, himself to become Commandant in 1952. Here, then, is another

⁴⁸U.S., Congress, House, Subcommittee of the Committee on Appropriations, Hearings on Department of Defense Appropriations for 1963, 87th Cong., 2d Sess., 1962, Part 2, p. 367.

⁴⁹U.S., Congress, House, Subcommittee of the Committee on Appropriations, Hearings on Navy Department Appropriation Bill, 1923, 67th Cong., 2d Session, 1922, p. 633.

case where a Commandant had an opportunity to become familiar with the technique of hearings before having to be a principal witness himself.

A fourth impression is that General Shoup handles himself particularly well before the subcommittees. He does this by following the guidelines laid down. While his prepared statements are usually straightforward in their approach, his response to direct questions tends at times to be "salty" -- and the congressmen seem to enjoy it. He likes to use phrases such as "more bang for a buck" to describe improvements in firepower. To justify the size of his headquarters staff in terms of the load of paperwork involved, he describes the headquarters as "understaffed and overstuffed." This latter remark prompted Senator Chavez to encourage him by saying, "You are talking like a Marine now. Go ahead."⁵⁰ Last year one of his adroit alliterations was even picked up by the House subcommittee and used by it in its report to the House on the bill. In justifying appropriations for Navy shipbuilding, the report stated that:

... one of the primary needs appears to be for more ships, adapted to large troop movements accompanied by the necessary supporting equipment and supplies.

No one could more graphically describe the situation than the Commandant of the Marine Corps did when he said:

"... we have more fight than we can ferry."⁵¹

In addition to the Commandant's testimony, Marine witnesses testify in each of three areas: personnel, operation and maintenance, and procurement. These witnesses also follow the guidelines. A review of their testimony over the last few years leads to a fifth general impression -- that it has gone relatively smoothly. Even when an outright administrative error was made a

⁵⁰Hearings on H.R. 11998, op. cit., p. 1723.

⁵¹U.S., Congress, House, House of Representatives Report No. 574 to Accompany H.R. 7851, 87th Cong., 1st Sess., 1961, p. 12.

few years ago and Brigadier General Herman Nickerson, Fiscal Director, was in the uncomfortable position of having to explain how certain costs were incorrectly assembled by object classification in the justification books, the Senate Subcommittee was sympathetic and, no doubt with some amusement, merely expressed surprise "that the Marines could make an error."⁵²

Most often the witnesses are complimented at the conclusion of their testimony. While this is often merely a matter of routine courtesy, after seeing the way great numbers of witnesses are handled (and as many as 200 may appear before a subcommittee during the course of one year's hearings), one can often detect what is merely routine and what is heartfelt. It is my impression that the compliments to Marine witnesses are for the most part sincere. Certainly there is no mistaking a comment such as Mr. Flood made during hearings on Marine Corps procurement funds a few years ago when he said to a Marine backup witness: "As a technical backup man, you are about the best I have heard this year from any branch of the service."⁵³

This is not to say that two different congressmen at the same hearings will view a witness' performance in the same light. For instance, this year at Senate hearings Rear Admiral J. S. McCain, Jr. gave an absolutely outstanding forty minute illustrated presentation entitled "The New Four Ocean Seapower Challenge." Following the presentation (during which the subcommittee members came and went at will), the Acting Subcommittee Chairman Senator A. Willis Robertson (Democrat - Virginia) was so impressed that he suggested Admiral McCain ought to carry the message to the entire country by presentation

⁵²Hearings on H.R. 11998, op. cit., p. 1750.

⁵³U.S., Congress, House, Subcommittee of the Committee on Appropriations, Hearings on Department of Defense Appropriations for 1961, 86th Cong., 2d Sess., 1960, Part 5, p. 179.

during prime time on a national television network. The Chairman complimented him over and over again for his sterling performance. Senator Henry C. Dworshak (Republican - Idaho), on the other hand, rather laconically observed that, if the matter was as important as indicated, Admiral McCain would do better to carry his message to the Joint Chiefs of Staff.⁵⁴ Nevertheless, in the case of Marine witnesses during the past few years, my impression is that they have been warmly received and well treated in both Houses and that the witnesses have performed well.

Finally, one other impression comes through strongly from studying the hearings. It is that the subcommittee members have an insatiable appetite for details in connection with the appropriations. It would be a challenge to turn to the records of any hearings and not find numerous illustrations of this phenomenon. It is as true for Marine witnesses as for any others. Dr. Smithies, having analyzed this aspect of appropriation hearings, suggests that there is a perfectly reasonable explanation for this behavior:

In many instances the Congress seeks refuge in preoccupation with detail and ignores or avoids consideration of the major policy issues raised by the budget. This tendency seems to be not merely a Congressional characteristic but a characteristic of human behavior in general. The larger issues are usually the most difficult to grasp and frequently the most unpleasant to confront. The temptation is strong to neglect the main issue and consider detail that is meaningless except in the context of the larger issue. Or one finds the problem incomprehensible as a whole and attempts to gain comprehension of the whole through summation of knowledge about the parts -- frequently with indifferent success. Knowledge of the individual stones is unlikely to show how the Pyramids were built, and knowledge of the individual tactical units of an army is unlikely to add up to a foreign policy.

Such tendencies are particularly noticeable in consideration of the defense budget. With a sigh of relief the committee member, who is as baffled as everyone else about the meaning of national security, finds

⁵⁴Personal observation at Senate Defense Appropriation Subcommittee hearings on March 29, 1962.

an item such as "research on secretarial chairs" and goes to work on it to the tune of several pages of hearings.⁵⁵

While Dr. Smithies' explanation is no doubt a good one, I am not sure that awareness of it would make a witness feel any better about his already hopeless task of attempting to anticipate every inquiry which will be directed to him by the subcommittee members.

In this chapter, we have attempted to gain some appreciation of the hearing process as it affects Marine Corps appropriation measures. We have seen that there is a carefully worked out code of conduct for witnesses and that Marine witnesses have comported themselves very well by following this guidance. The relationships, therefore, between the subcommittees and the Marine Corps are excellent. Presumably, then, because the witnesses do so well, Marine Corps requests are favorably acted upon by the subcommittees and -- since that's where the greatest influence is -- by both Houses of Congress. In the next chapter, we shall undertake an examination of the course which Marine Corps appropriations have followed in recent years through Congress.

⁵⁵Smithies, op. cit., pp. 141-42.

CHAPTER IV

CONGRESSIONAL ACTION ON MARINE CORPS APPROPRIATIONS

The course an appropriation bill follows through Congress was traced in detail in Chapter II. This chapter traces through the actions which the Congress has actually taken in terms of actual dollar amounts during the last five years. Again, we will be dealing, insofar as Marine Corps appropriations are concerned, only with those categories which are directly designated for the Marine Corps and for which the Marine Corps must justify its requirements before Congress; that is, military personnel, reserve personnel, operation and maintenance, and procurement. While we know that some Marine Corps funds are included in other Navy appropriations, since we cannot break out these amounts without detailed analysis and knowledge of the Navy appropriations structure, we shall concern ourselves only with the four categories just mentioned. These will be adequate for this analysis.

Probably the easiest way to visualize congressional action in this area during recent years is to reduce the figures to tabular form so that they may be compared as successive actions were taken. This is what has been done in Table 2 on pages 37 and 38. Only funds representing new obligational authority are shown. Transfers of funds from the Marine Corps Stock Fund occurred in the last four years, but these amounts are not included in Table 2.

Some mention probably ought to be made in explanation of the procurement appropriation for fiscal year 1958. It may be seen from the Table that although a sum of \$100 million was included in the budget, no money was actually appropriated. This was because Congress took note of the large unobligated balances remaining in procurement funds and wished the Marine Corps to work off some of these funds during the year. Therefore, the denial of these funds,

TABLE 2

CONGRESSIONAL ACTION ON MARINE CORPS APPROPRIATIONS, FISCAL YEARS 1958-1962
(IN MILLIONS OF DOLLARS)

Fiscal Year	Marine Corps Appropriations	President's Amended Budget	House Action	Senate Action	Joint Conference Report	Appropriation Act As passed
1958	Military Personnel Reserve Personnel Troops and Facilities Procurement Total	\$ 634.6 23.5 184.2 100.0 <u>\$ 942.3</u>	\$ 630.0 23.2 178.0 20.0 <u>\$ 851.2</u>	\$ 634.6 23.5 182.5 0.0 <u>\$ 840.6</u>	\$ 630.0 23.2 178.0 0.0 <u>\$ 831.2</u>	\$ 630.0 23.2 178.0 0.0 <u>\$ 831.2</u>
1959	Military Personnel Reserve Personnel Troops and Facilities Procurement Total	\$ 625.2 23.8 168.2 30.0 <u>\$ 847.2</u>	\$ 604.1 23.0 173.1 25.0 <u>\$ 825.2</u>	\$ 635.7 23.8 173.1 25.0 <u>\$ 857.6</u>	\$ 635.7 23.8 173.1 25.0 <u>\$ 857.6</u>	\$ 635.7 23.8 173.1 25.0 <u>\$ 857.6</u>
1960	Military Personnel Reserve Personnel Troops and Facilities Procurement Total	\$ 596.9 24.3 172.0 135.2 <u>\$ 928.4</u>	\$ 596.9 24.3 171.3 133.9 <u>\$ 926.4</u>	\$ 620.6 24.3 175.8 133.9 <u>\$ 954.6</u>	\$ 620.6 24.3 175.8 133.9 <u>\$ 954.6</u>	\$ 620.6 24.3 175.8 133.9 <u>\$ 954.6</u>

TABLE 2 -- Continued

Fiscal Year	Marine Corps Appropriations	President's Amended Budget	House Action	Senate Action	Joint Conference Report	Appropriation Act As passed
1961	Military Personnel Reserve Personnel Operation/Maintenance Procurement Total	\$ 607.0 25.0 176.0 94.0 \$ 902.0	\$ 604.6 24.6 174.7 91.2 \$ 895.1	\$ 639.6 24.8 180.3 94.0 \$ 938.7	\$ 606.7 24.8 174.7 91.2 \$ 897.4	\$ 606.7 24.8 174.7 91.2 \$ 897.4
1962	Military Personnel Reserve Personnel Operation/Maintenance Procurement Total	\$ 629.0 26.4 188.0 270.0 \$ 1,113.4	\$ 629.0 26.4 186.7 198.9 \$ 1,041.0	\$ 629.0 26.4 187.9 265.9 \$ 1,109.2	\$ 629.0 26.4 187.3 264.6 \$ 1,107.3	\$ 629.0 26.4 187.3 264.6 \$ 1,107.3

NOTE: The appropriation title "Troops and Facilities" used prior to 1960 became "Operation and Maintenance" in that year.

while having a sizeable effect upon the total dollar amount, had practically no effect on the operations of the Marine Corps during the year in question.

It may also be noted that in each of the five years, the Congress accepted precisely the amounts recommended by the Joint Conference. A better appreciation of the manner in which Marine appropriations have fared during these years may be gained by studying Table 3. This table shows the trend percentages of the totals developed in Table 2, using the President's budget request figures (as subsequently amended) as the base figure.

The fiscal year 1958 figures, it may be seen, are somewhat out of line with the other figures in the table. This inconsistency is attributable to Congress' denial of the \$100 million of procurement funds noted in connection with Table 2. If the 1958 figures were recomputed ignoring the \$100 million, the percentages would then be consistent with the rest of the table. Rather, however, since the source of the deviation now has been duly noted, the 1958 figures will be ignored in drawing inferences from Table 3.

TABLE 3

TREND PERCENTAGES OF TOTAL MARINE CORPS APPROPRIATIONS
FISCAL YEARS 1958--1962

Fiscal Year	President's Budget Request (As amended)	House Action	Senate Action	Appropriation Act as Passed
1958	100.0%	90.4%	89.2%	88.2%
1959	100.0	97.4	101.2	101.2
1960	100.0	99.8	102.8	102.8
1961	100.0	99.2	104.0	99.5
1962	100.0	93.5	99.6	99.5

While all the conclusions of this study will be consolidated in the next chapter, since the figures of Tables 2 and 3 are so readily at hand, perhaps

we may note now how well verified is one assumption made at the beginning of this study. I am referring, of course, to the one regarding the nature of changes in appropriations as they are considered by Congress.⁵⁶ Referring to Table 3, and disregarding the 1958 figures, in every case the House cut the proposed budget as predicted. Likewise, the Senate restored money in every case as predicted. Also, as predicted, the final outcome was well within the five percent variance which constitutes a minor change from the President's budget.

Even though it was established at the outset that this study was only concerned with Marine Corps appropriations, it seems appropriate at this point to obtain an overview of the entire Department of Defense appropriation picture during the five year period being discussed. There are two reasons for this. For one thing, it seems desirable to obtain some sort of perspective against which Marine Corps appropriations can more meaningfully be measured. In other words, is one billion dollars a lot or a little, comparatively speaking? The other reason for providing some comparisons is to be able to evaluate how well the Marine Corps presents its case to Congress, assuming that appropriated dollars are an indication. In other words, is one billion dollars good or bad, comparatively speaking?

To answer the first of these questions we need to compare the appropriations to the Office of the Secretary of Defense as well as the various services during these years. Such a comparison is provided in dollar amounts by Table 4. Perhaps even more helpful are the common-size percentages shown in Table 5.

⁵⁶Supra, p. 6.

TABLE 4

DEPARTMENT OF DEFENSE
MILITARY APPROPRIATIONS
(LESS CONSTRUCTION AND FOREIGN AID)
FOR FISCAL YEARS 1958--1962
(IN BILLIONS OF DOLLARS)

	1958	1959	1960	1961	1962
O.S.D.	\$.699	\$ 1.373	\$ 1.373	\$ 1.191	\$ 1.518
Army	7.264	8.993	9.376	9.538	11.802
Marine Corps	.831	.858	.955	.897	1.107
Navy	9.035	10.502	10.052	11.212	13.398
Air Force	<u>15.930</u>	<u>17.878</u>	<u>17.473</u>	<u>17.158</u>	<u>18.837</u>
Total D.O.D.	\$33.760	\$39.603	\$39.228	\$39.997	\$46.663

TABLE 5

DEPARTMENT OF DEFENSE
MILITARY APPROPRIATIONS AS COMMON-SIZE PERCENTAGES
FOR FISCAL YEARS 1958--1962

	1958	1959	1960	1961	1962
O.S.D.	2.1%	3.4%	3.5%	3.0%	3.2%
Army	21.5	22.7	23.9	23.8	25.3
Marine Corps	2.4	2.2	2.4	2.3	2.4
Navy	26.8	26.5	25.6	28.0	28.7
Air Force	<u>47.2</u>	<u>45.2</u>	<u>44.6</u>	<u>42.9</u>	<u>40.4</u>
Total D.O.D.	100.0%	100.0%	100.0%	100.0%	100.0%

It may be seen, from tables 4 and 5, that the Marine Corps' "billion dollars" is a comparatively minor percentage of the total amount. In order not to mislead, however, I trust it will not be too redundant to remind once more

that the Navy figures are somewhat overstated while the Marine Corps figures are understated by an amount equal to the Navy overstatement. The Department of the Navy aggregate is correct, therefore. Again, this apparent imprecision is due to the fact that the Marine Corps benefits directly from certain sums rather deeply buried in Navy appropriations.

Having disposed of the first question, let us now examine the second. We wish to compare the end results of Marine Corps efforts in Congress as shown in Table 3, with the end results of the other services over the same period. This information is developed by means of trend percentages in Table 6, using the President's budget request as amended as the base figure and the amounts actually appropriated to indicate the trend, year by year.

TABLE 6
PERCENTAGE OF PRESIDENT'S MILITARY BUDGET
ACTUALLY APPROPRIATED
FOR FISCAL YEARS 1958-1962

	1958	1959	1960	1961	1962
O.S.D.	99.1%	104.8%	99.0%	98.8%	98.8%
Army	85.8	100.3	104.3	102.3	100.4
Marine Corps	88.2	101.2	102.8	99.5	99.5
Navy	93.5	104.9	99.0	102.8	99.1
Air Force	96.8	101.2	98.3	101.0	102.0
D.O.D.	93.5	102.2	99.9	101.7	100.5

NOTE: President's budget requests (as amended) provide the base of 100%.

About all that can be inferred from the figures in Table 6 is that Dr. Smithies' observation about a five percent change is once more validated. There appears to be no correlation between an excellent performance before the appropriations subcommittees and the outcome of the appropriation bill, insofar

as the Marine Corps is concerned. In fact, when the five trend percentages are averaged out, the Marine Corps has the lowest average of all -- this in spite of the fact that their performance at the hearings is superior.

This is a rather interesting outcome. It results in an anomaly wherein, on the one hand, the Marine Corps is the only service getting less than its fiscal year 1961 budget, each of the other services getting more, while on the other hand, during debate on the floor of the House, Mr. Ford (Republican - Michigan) is saying:

.... I would like to say a word of commendation for the Marine Corps. Last year they were cut back to 175,000 from a figure of 185,000 or 189,000. The Marine Corps, in order to handle their manpower, took out of each of the three Marine Corps divisions a certain number of battalion landing teams. I think there were eight all together. This was objected to by some. However, the Marine Corps this year, with the same overall strength figure, has come back and said: "Because we are getting better marines, we are more efficiently running the Marine Corps. We are able to put back into the Marine Corps two of the battalion landing teams that we had to take out previously."

In other words, the Marine Corps, instead of complaining about a reduction in manpower, has taken the manpower figures and gotten more front-line capability from the overall figure than they had previously. I think this is good manpower management. I want to compliment the Marine Corps for taking this attitude and obtaining this result.⁵⁷

And in the "other body," as the Congressmen are wont to say, Senator Chavez is adding, "... The Committee wishes to commend the Marine Corps for its good management and continued efforts to increase the proportion of its personnel in the combat elements."⁵⁸

Much the same thing occurred in the following year, too. The report of the House Appropriations Committee on the 1962 bill singled out the Marine Corps for praise. After commenting that the Committee was "considerably disappointed" at the failure within the Department of Defense to establish policies which

⁵⁷U.S., Congressional Record, 86th Cong., 2d Sess., 1960, CVI, Part 7, p. 9256.

⁵⁸Ibid., Part 10, p. 12791.

would limit the amounts of travel funds spent each year, the report added:

The Committee notes with approval the attitude of the Marine Corps in the matter of various limitations imposed in the appropriation act of last year -- specifically as to the travel limitation, it was testified that "We cut the cloth to fit the pattern."⁵⁹

Yet the Marine Corps appropriations were under budgeted figures that year, while Army and Air Force -- and in fact, the total appropriations -- were greater than budgeted.

These facts suggest that whatever good effects the witnesses may have on the subcommittees must be blurred somewhat by other factors before the appropriation process is complete. But, let us save the conclusions for the next chapter.

⁵⁹U.S., Congress, House, House of Representatives Report No. 574 to Accompany H.R. 7851, 87th Cong., 1st Sess., 1961, p. 27.

CHAPTER V

CONCLUSIONS

This paper initially set out to examine three interrelated areas of interest, all pertaining to Marine Corps appropriations. They were congressional appropriation procedures, the conduct of witnesses at congressional hearings, and appropriation trends in recent years. The stated purpose was also threefold. First, there was a general desire to become well acquainted with the appropriation process. Second, there was a specific desire to evaluate the effectiveness of Marine Corps witnesses. And third, there was a specific desire to test the validity of the maxim that in budget action the House of Representatives reduces, the Senate restores, and the net result is little change.

At this stage in the proceedings, certainly the first of these desires has been fulfilled -- at least from my point of view. The congressional appropriation process, which seemed rather awesome at the outset, gradually assumed more reasonable proportions as the study progressed. And now that the study is concluded, the critique by Dr. Smithies, quoted at the end of Chapter II, has taken on added meaning.⁶⁰

The physical act of reading the records of hearings for any given year -- even just those relatively few pages which pertain to the Marine Corps -- and the committee reports, the records of floor debates and the final act, is terrifically time consuming. And yet there is a certain fascination, which is difficult to describe, in seeing it all down in black and white. There is an equal fascination in watching a hearing. Or, for that matter, in discussing

⁶⁰Supra, p. 14.

the process with a well informed observer. In retrospect, this is somewhat surprising, since as we shall see in a moment, the conclusions reached on the two specific issues would not seem to warrant attaching that much significance to this process. In any event, one conclusion which may be stated unequivocally here and now is that, for an understanding of the congressional appropriation process, there is no substitute for actually digging in the legislative references -- the hearings, the reports, the debates, the law. Reading about the process, I found, was not quite the same.

The next proposition is not so easily disposed of. There is ample good advice and instruction on how a witness should prepare himself for, and conduct himself at, appropriation hearings. Again it was found that reading the records of previous hearings was excellent preparation. Also, it appears that Marine Corps witnesses do very well before the subcommittees and that, in return, both subcommittees treat the witnesses very well, and frequently laud the Marine Corps for its management efforts. But to translate this exemplary behavior into concrete monetary results in the appropriation acts in recent years has not been possible. That there is little or no correlation was demonstrated in Tables 3 and 6 in the preceding chapter.⁶¹

Not that the Marine Corps is failing to "get its share." In fact, Table 5 rather indicates that all the other services, including the Marine Corps, have been increasing their shares at the expense of the Air Force in recent years.⁶² This study does not presume to judge whether any service should receive more, less or the same amount in appropriations. But the lack of

⁶¹Supra, p. 39 and 42, respectively.

⁶²Supra, p. 41.

correlation between performance at the hearings and resultant appropriations permits some interesting possibilities of interpretation.

For instance, one might conclude that it just doesn't matter how well the witnesses do in presenting and justifying their budget. But this would be a fatuous interpretation, since it runs counter to common sense, as well as to the advice of subcommittee staff members and the experience of the services. There are times, no doubt, when a good performance gains maximum effect -- for instance, when a new program, concept, weapon or other innovation is being introduced for the first time.⁶³ But to conclude that the manner in which witnesses present their budgets is unimportant because of the lack of correlation previously noted, is to underestimate the power and influence of the Congress.

Still another possible interpretation would be that if the Marine Corps hadn't been doing so well before Congress, the Congress conceivably would have been appropriating to the Marine Corps much less than it has been. In other words, things could be much worse without superior performance at the hearings. Contrary to the previous interpretation, this one seems to overestimate the influence of Congress on defense appropriations. It seems reasonably clear from Table 6 that congressional changes to the President's budget are, after all, relatively minor on a percentage basis.⁶⁴

What, then, is a reasonable interpretation of the facts which have been developed? Two interpretations suggest themselves, each capable of acting at the same time in compatibility one with the other.

⁶³ Interview with Mr. Aubrey A. Gunnels, Staff Member, House Appropriations Committee, April 20, 1962.

⁶⁴ Supra, p. 42.

The first of these has already been alluded to and perhaps is obvious. Simply stated it is that it is relatively more important to sell a service budget in the executive branch of the government than it is in the legislative branch. Evidence in support of this interpretation is found in Tables 5 and 6, the former showing that budget changes do take place, and the latter that the changes are not made to any essential degree by the Congress.⁶⁵ If this be true, it suggests the area in which effort should be concentrated for maximum results in the future.

The other interpretation which seems reasonable came to mind as the result of studying a detailed analysis of changes which the House subcommittee proposed on the President's fiscal year 1961 defense budget.⁶⁶ Generally speaking, the proposed increases were tied to titled programs such as Air Defense, Airborne Alert, Army Modernization, Polaris Program, Space Program, and so on. Somehow or other, these titles seem to conjure up stronger images than "military personnel, Marine Corps" or "operation and maintenance, Marine Corps." While I am not a psychologist, somehow it is a lot easier for me to visualize a congressman standing foursquare for "Army Modernization" than it is for me to picture him taking the same kind of stand for "procurement, Marine Corps," which would be the vehicle for modernization of equipment.

On the other hand, the decreases shown in the analysis were often across-the-board type cuts, though not exclusively so. Examples of these are: Travel (10%), Departmental Administration (10%), and Procurement (3%). These cuts were being applied to all services alike as an expression of congressional

⁶⁵Supra, p. 41 and 42, respectively.

⁶⁶U.S., Congressional Record, 86th Cong., 2d Sess., 1960, CVI, Part 7, pp. 9601-05.

disapprobation at certain practices or policies or to force economies. The reader will recall, perhaps, that this was the same year in which the Marine Corps was commended for its good management.⁶⁷ Yet these reductions were applied.

The lesson to be drawn from these facts is that the Marine Corps should not put all its stock in the proposition that the virtuous shall be rewarded and the wicked punished. Because of the difficulty Congress has in discriminating between the "virtuous" and the "wicked", chances are that the services' budgets will continue to be eroded from time to time by similar across-the-board percentage cuts. The evidence also suggests that if the Marine Corps is dissatisfied with the amounts being appropriated (and I have not explored this question at all, nor do I presume to judge) that some recognition of the "Madison Avenue" techniques of merchandising a package before Congress might be productive. In fact, the defense budget approach being employed for the first time this year in a sense does that very thing in a constructive sort of way for all defense elements. But that would have to be the subject for a separate study.

This leaves for comment the third area which this paper sought to examine, namely, the one dealing with the magnitude and direction of budgetary changes imposed by Congress. This question was the easiest one of all to evaluate. In effect, the question has already been dealt with and therefore a summary remark only seems necessary at this point. The figures in Table 3 made it clear that Marine Corps appropriations have followed the standard

⁶⁷Supra, p. 43.

pattern of decreases, increases and little net change as the budget moved through the Congress.⁶⁸

The real significance of this fact is not just the curiosity of it, but rather that it lends support to what became more by accident than by design the major conclusion of this work. Restated, the conclusion is that despite the best efforts of the Marine Corps to capitalize on its superior performance before Congress, and despite the fanfare and the appearance of climax attached to the enactment of congressional appropriations, in fact the size of the Marine Corps' budget and, therefore, the scope of its program is essentially fixed in the executive branch prior to congressional consideration.

⁶⁸Supra, p. 39.

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